

PAUL J. FISHMAN
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARK OLIVER, as the :
Administrator Ad Prosequendum :
of the Estate of RANDRINA :
OLIVER, Deceased, and :
MARK OLIVER, Individually, :
: :
Plaintiffs, : Hon. Mary L. Cooper
: :
v. : Civ. Action No. 13-2267(MLC)
: :
ETHAN TARASOV, RADIOLOGY :
AFFILIATES IMAGING, UNITED :
STATES OF AMERICA, JOHN/JANE : Document Electronically Filed
DOE PHYSICIANS #1-10 and :
JOHN/JANE DOE HEALTH CARE :
PROVIDERS #1-10, :
: :
Defendants. :

**NOTICE OF MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION**

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PLEASE TAKE NOTICE that on August 19, 2013, the undersigned attorney, on behalf of defendant United States of America, will move before the Honorable Mary L. Cooper, United States District Judge, at the Clarkson S. Fisher Federal Building and U.S. Courthouse, 402 East State Street, Trenton, New Jersey, for an order in defendant United States of America's favor dismissing plaintiff's claims for lack of subject matter jurisdiction, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

In support of this Motion, defendant United States of America will rely on the Declaration of J. Christopher Ide, and the exhibits thereto, and the Memorandum in Support of Motion to Dismiss for Lack of Subject Matter Jurisdiction. A form of Order is submitted along with this Notice of Motion.

Defendant United States of America does not request oral argument.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

s/ J. Andrew Ruymann

By: J. ANDREW RUYMANN
Assistant U.S. Attorney

Dated: July 22, 2013